



[WWW.RIVKINRADLER.COM](http://WWW.RIVKINRADLER.COM)

926 RXR Plaza  
Uniondale, NY 11556-0926  
**T** 516.357.3000 **F** 516.357.3333

**MICHELLE A. BHOLAN**

PARTNER

(516) 357-3137

[michelle.bholan@rivkin.com](mailto:michelle.bholan@rivkin.com)

August 15, 2022

**VIA ECF**

Honorable LaShann DeArcy Hall, U.S.D.J.  
United State District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Celestin, et al v. Martelly, et al.  
Docket No. 18-cv-07340(LDH)(PK)

Dear Judge DeArcy Hall:

This Firm is counsel to Defendants MoneyGram International, Inc. and MoneyGram Payment Systems, Inc. (collectively, "MGI").

On July 19, 2022, Your Honor granted Plaintiffs' motion to file a Third Amended Complaint which, inter alia, added MGI as a Defendant in this action. On July 28, 2022, the Clerk of Court issued a Summons as to MGI, and MGI subsequently received a copy of the Summons and Third Amended Complaint in the mail. To date, MGI has not received formal service of process.

On July 19, 2022, Your Honor also directed Defendants to submit omnibus briefing on various issues. For purposes of efficiency and judicial economy, MGI has agreed to waive formal service of process in exchange for a thirty (30) day extension of the briefing schedule set forth in this Court's July 19, 2022 Order (the "Briefing Schedule"). MGI seeks an extension to afford itself sufficient time to integrate into the action, which has been pending for nearly four (4) years, and to coordinate with its co-Defendants and ultimately join in the omnibus briefing. Plaintiffs' counsel has consented to the extension and there will be no prejudice to Plaintiffs if the extension is granted.

This is MGI's first request for an extension of the Briefing Schedule. MGI is not aware of any other scheduled dates that are affected by the extension.

RIVKIN RADLER LLP

Honorable LaShann DeArcy Hall  
August 15, 2022  
Page 2

Based upon the foregoing, MGI respectfully requests that the Court modify the Briefing Schedule<sup>1</sup> as follows:

- The deadline for all Defendants to serve the opening brief on Plaintiffs for the omnibus motion addressing dismissal based upon forum non conveniens, Federal Rule of Civil Procedure 8, 9(b), 12(b)(6), and act of state doctrine is extended from August 24, 2022 to **September 23, 2022**.
  - The deadline for Plaintiffs to serve their opposition brief is extended from September 21, 2022 to **October 21, 2022**.
  - The deadline for Defendants to serve their reply brief is extended from October 12, 2022 to **November 11, 2022**.
- The deadline for Unibank to serve the opening brief on Plaintiffs for its motion to dismiss based on personal jurisdiction is extended from September 21, 2022 to **October 21, 2022**.
  - The deadline for Plaintiffs to serve their opposition brief is extended from October 19, 2022 to **November 18, 2022**.
  - The deadline for Unibank to serve its reply on Plaintiffs is extended from November 9, 2022 to **December 9, 2022**.
- The deadline for Western Union, Unitransfer, Caribbean Air Mail, and MGI to serve the opening brief on Plaintiffs for the omnibus motion to dismiss based on lack of subject matter jurisdiction is extended from October 19, 2022 to **November 18, 2022**.
  - The deadline for Plaintiffs to serve their opposition brief is extended from November 16, 2022 to **December 16, 2022**.
  - The deadline for Defendants to serve their reply brief is extended from December 7, 2022 to **January 6, 2023**.
- The deadline for the Government Defendants and Natcom to serve the opening brief on Plaintiffs for the omnibus motion to dismiss based upon lack of personal and subject matter jurisdiction is extended from November 16, 2022 to **December 16, 2022**.
  - The deadline for Plaintiffs to serve their opposition brief is extended from December 14, 2022 to **January 13, 2023**.
  - The deadline for Defendants to serve their reply brief is extended from January 4, 2023 to **February 3, 2023**.

---

<sup>1</sup> MGI intends to join the omnibus motions to dismiss based upon (i) forum non conveniens, Federal Rule of Civil Procedure 8, 9(b), 12(b)(6), and act of state doctrine; and (ii) lack of subject matter jurisdiction. MGI expressly reserves the right to subsequently move to dismiss the Third Amended Complaint as asserted against it on grounds not contemplated by the Briefing Schedule.

RIVKIN RADLER LLP

Honorable LaShann DeArcy Hall  
August 15, 2022  
Page 3

The Court's time and attention to this matter are greatly appreciated.

Respectfully submitted,  
RIVKIN RADLER LLP

/s/ Michelle A. Bholan  
Michelle A. Bholan

cc: All counsel of record via ECF